

FILED

DEC 13 2013

*Clerk, U.S. District Court
District Of Montana
Missoula*

THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

YOUNG YIL JO,

Plaintiff,

vs.

SIX UNKNOWN NAMES AGENTS or
MR PRESIDENT OF THE UNITED
STATES BARACK OBAMA,

Defendants.

CV 13-00257-M-DWM-JCL

ORDER

JOSE A. ALCANTARA,

Plaintiff,

vs.

SIX UNKNOWN NAMES AGENTS or
MR PRESIDENT OF THE UNITED
STATES BARACK OBAMA,

Defendants.

CV 13-00258-M-DWM-JCL

ORDER

GIOVANNI ARROYO V.,

Plaintiff,

vs.

SIX UNKNOWN NAMES AGENTS or
MR PRESIDENT OF THE UNITED
STATES BARACK OBAMA,

Defendants.

CV 13-00259-M-DWM-JCL

ORDER

CRESCENCIO BARRAZA,

Plaintiff,

vs.

**SIX UNKNOWN NAMES AGENTS or
MR PRESIDENT OF THE UNITED
STATES BARACK OBAMA,**

Defendants.

CV 13-00260-M-DWM-JCL

ORDER

ERICK NIJ BOCH,

Plaintiff,

vs.

**SIX UNKNOWN NAMES AGENTS or
MR PRESIDENT OF THE UNITED
STATES BARACK OBAMA,**

Defendants.

CV 13-00261-M-DWM-JCL

ORDER

SANTOS DIAZ HERNANDEZ,

Plaintiff,

vs.

**SIX UNKNOWN NAMES AGENTS or
MR PRESIDENT OF THE UNITED
STATES BARACK OBAMA,**

Defendants.

CV 13-00262-M-DWM-JCL

ORDER

BERNARDO FERNANDEZ,

Plaintiff,

vs.

SIX UNKNOWN NAMES AGENTS or
MR PRESIDENT OF THE UNITED
STATES BARACK OBAMA,

Defendants.

CV 13-00263-M-DWM-JCL

ORDER

MARIO EDGARDO GARCIA,

Plaintiff,

vs.

SIX UNKNOWN NAMES AGENTS or
MR PRESIDENT OF THE UNITED
STATES BARACK OBAMA,

Defendants.

CV 13-00264-M-DWM-JCL

ORDER

AGAPITO JARAMILLO V.,

Plaintiff,

vs.

SIX UNKNOWN NAMES AGENTS or
MR PRESIDENT OF THE UNITED
STATES BARACK OBAMA,

Defendants.

CV 13-00265-M-DWM-JCL

ORDER

THO LE,

Plaintiff,

vs.

SIX UNKNOWN NAMES AGENTS or
MR PRESIDENT OF THE UNITED
STATES BARACK OBAMA,

Defendants.

CV 13-00266-M-DWM-JCL

ORDER

BERTRAM C. JOHNSON,

Plaintiff,

vs.

SIX UNKNOWN NAMES AGENTS or
MR PRESIDENT OF THE UNITED
STATES BARACK OBAMA,

Defendants.

CV 13-00267-M-DWM-JCL

ORDER

JOSE A. MALDANADO M.,

Plaintiff,

vs.

SIX UNKNOWN NAMES AGENTS or
MR PRESIDENT OF THE UNITED
STATES BARACK OBAMA,

Defendants.

CV 13-00268-M-DWM-JCL

ORDER

LUIS QUINTANILLA,

Plaintiff,

vs.

SIX UNKNOWN NAMES AGENTS or
MR PRESIDENT OF THE UNITED
STATES BARACK OBAMA,

Defendants.

CV 13-00269-M-DWM-JCL

ORDER

MARTIN A. ROSAS,

Plaintiff,

vs.

SIX UNKNOWN NAMES AGENTS or
MR PRESIDENT OF THE UNITED
STATES BARACK OBAMA,

Defendants.

CV 13-00270-M-DWM-JCL

ORDER

GUSTAVO V. RUBIO,

Plaintiff,

vs.

SIX UNKNOWN NAMES AGENTS or
MR PRESIDENT OF THE UNITED
STATES BARACK OBAMA,

Defendants.

CV 13-00271-M-DWM-JCL

ORDER

ARLON A. SANTANDER,

Plaintiff,

vs.

SIX UNKNOWN NAMES AGENTS or
MR PRESIDENT OF THE UNITED
STATES BARACK OBAMA,

Defendants.

CV 13-00272-M-DWM-JCL

ORDER

WILLIAM B. SANTOS F.,

Plaintiff,

vs.

SIX UNKNOWN NAMES AGENTS or
MR PRESIDENT OF THE UNITED
STATES BARACK OBAMA,

Defendants.

CV 13-00273-M-DWM-JCL

ORDER

ROGER TALANCON Z.,

Plaintiff,

vs.

SIX UNKNOWN NAMES AGENTS or
MR PRESIDENT OF THE UNITED
STATES BARACK OBAMA,

Defendants.

CV 13-00274-M-DWM-JCL

ORDER

OMAR A. TURCIOS A.,

Plaintiff,

vs.

SIX UNKNOWN NAMES AGENTS or
MR PRESIDENT OF THE UNITED
STATES BARACK OBAMA,

Defendants.

CV 13-00275-M-DWM-JCL

ORDER

YURI TZUL,

Plaintiff,

vs.

SIX UNKNOWN NAMES AGENTS or
MR PRESIDENT OF THE UNITED
STATES BARACK OBAMA,

Defendants.

CV 13-00276-M-DWM-JCL

ORDER

IVAN D. PEREZ C.,

Plaintiff,

vs.

SIX UNKNOWN NAMES AGENTS or
MR PRESIDENT OF THE UNITED
STATES BARACK OBAMA,

Defendants.

CV 13-00277-M-DWM-JCL

ORDER

Plaintiff Young Yil Jo, an inmate incarcerated in the Etowah County Detention Center in Gadsden, Alabama, proceeding without counsel, filed an incoherent one-page complaint on December 9, 2013. (Civil Action No. 13-CV-0257, Doc. 1.) Although Yil Jo does not appear to have a relationship to Montana, this is his eighteenth lawsuit filed in this district. As with his previous lawsuits, Yil Jo did not pay the \$400.00 filing fee and did not submit an application to proceed in forma pauperis. Because this action is subject to dismissal pursuant to 28 U.S.C. §1915(g), the Court will not direct Yil Jo to pay the fee or file a motion for leave to proceed in forma pauperis.

Under the “3-strikes” provision of 28 U.S.C. § 1915(g), a prisoner may not bring a civil action in forma pauperis if, while incarcerated, he brought three or more civil actions or appeals that were dismissed as frivolous, malicious, or fails to state a claim upon which relief may be granted, unless he is under imminent danger of serious physical injury. Yil Jo has filed several hundred civil actions throughout the country which have been dismissed as frivolous, malicious, or for failure to state a claim. He has received three strikes in at least two federal district courts.¹

¹ See *Yil Jo v. Six Unknown Named Agents*, No. CV-11-1963-RSM (W.D. Wash., Mar. 26, 2012); *Yil Jo v. Six Unknown Named Agents*, No. CV-12-76-JLR (W.D. Wash, Mar. 9, 2012); *Yil Jo v. Six Unknown Named Agents*, No. CV-11-2159-JLR (W.D. Wash., Feb. 21, 2012); *Jo v. Six Unknown Named Agents*, No. 1:08-CV-00005 (E.D. Ca. Jan. 16, 2008); *Jo v. Six Unknown Named Agents*, No. 1:08-CV-00031 (E.D. Ca. Jan. 16 2008); *Jo v. Six Unknown Named Agents*, No. 1:08-CV-

Yil Jo has far exceeded the three “strikes” allowed by the Prison Litigation Reform Act and therefore cannot proceed in forma pauperis unless he is in “imminent danger of serious physical injury.” The allegations in the Complaint do not support a finding that Yil Jo is in “imminent danger of serious physical injury.” Ordinarily litigants are given a period of time to pay the \$400.00 filing fee, but Yil Jo will not be allowed to do so given his abusive litigation practices.

Yil Jo included twenty additional complaints in the envelope in which he sent his complaint. The Complaints are all identical but have different plaintiffs. It appears clear that Yil Jo drafted all of these Complaints because they are identical and the handwriting on the Complaints and Yil Jo’s filings in this and other jurisdictions is the same. Yil Jo has a history of submitting complaints in other prisoners’ names without their knowledge. He has done so previously in this Court and in other jurisdictions. *See Civil Action 11-CV-01341-WSD, DKT 2* (N.D. Ga April 29, 2011)(court noted it had dismissed at least eleven complaints allegedly submitted by federal prisoner Jaimes Enriquez against “Six Unknown Names [sic] Agents” at least one of which was actually submitted by Yil Jo).

More important, however, is that none of the Complaints, except Yil Jo’s, are signed. Rule 11(a) of the Federal Rules of Civil Procedure requires that every pleading, written motion and other papers be signed by a party personally if the

1260 (E.D. Ca. Aug. 29, 2008); *Jo v. Six Unknown Named Agents*, 1:08-CV-1254 (E.D. Ca. Sept. 9, 2008).

party is unrepresented.

It appears that Yil Jo drafted these Complaints and it is unclear that any of the other named plaintiffs have even seen them. In light of this, and because there are no signatures on the Complaints filed in Civil Action Nos. 13-CV-258-M-DWM through 13-CV-277-M-DWM, they will be stricken and those matters closed.

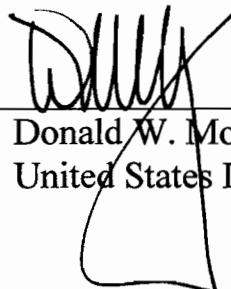
Based upon the foregoing, the Court issues the following:

ORDER

In Civil Action 13-CV-257-M-DWM-JCL, Young Yil Jo will not be allowed to proceed in forma pauperis pursuant to 28 U.S.C. § 1915(g). The Clerk of Court is directed to close that case and enter judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

The Complaints in Civil Action Nos. 13-CV-258-M-DWM through 13-CV-277-M-DWM are stricken. The Clerk of Court is directed to close those cases and enter judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

DATED this 13⁺ day of December, 2013.



Donald W. Molloy, District Judge
United States District Court